

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

ANDREW TYLER FOSTER, et al,

Plaintiffs,

v.

L-3 COMMUNICATIONS
EOTECH, INC. et al,

Defendants.

Case No.6:15-cv-03519-BCW

Hon. Brian C. Wimes

JESSE ROLFES et al,

Plaintiffs,

v.

L-3 COMMUNICATIONS
EOTECH, INC. et al,

Defendants.

Case No. 4:16-cv-00095-BCW

Hon. Brian C. Wimes

JERRY CHEN, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

L-3 COMMUNICATIONS
EOTECH, INC. et al,

Defendants.

Case No. 6:16-cv-03109-BCW

Hon. Brian C. Wimes

CLAY PITTMAN, individually and
on behalf of all others similarly
situated,

Plaintiff,

v.

L-3 COMMUNICATIONS
EOTECH, INC. et al,

Defendants

Case No. 4:16-cv-00438-BCW

Hon. Brian C. Wimes

TIMOTHY BRAGINTON and
TREVOR WEIR, individually and
on behalf of all others similarly
situated,

Plaintiffs,

v.

L-3 COMMUNICATIONS
EOTECH, INC. et al,

Defendants

Case No. 4:16-cv-00439-BCW

Hon. Brian C. Wimes

**PLAINTIFFS' MOTION FOR
APPOINTMENT OF INTERIM CLASS COUNSEL AND CONSOLIDATION**

Plaintiffs in the above-captioned consolidated actions hereby move this Court for an Order: (i) appointing Tim Dollar of Dollar Burns & Becker, L.C. as Chair of a leadership committee comprised of Mr. Dollar, Craig R. Heidemann of Douglas Haun & Heidemann PC, Sharon S. Almonrode of The Miller Law Firm, P.C., Bonner C. Walsh of Walsh, PLLC, and Adam R. Gonnelli of Faruqi & Faruqi, LLP (together, the "Proposed Leadership Team") as interim co-lead counsel pursuant to Fed. R. Civ. P. 23(g), and (ii) consolidating the above-captioned actions pursuant Fed. R. Civ. P. 42(a)(2).

Proposed Leadership Team satisfy, and exceed, the criteria a court considers in making an interim lead counsel appointment under Rule 23(g). The appointment of Proposed Leadership Team will ensure that this case is thoroughly and efficiently litigated by counsel who have the experience, resources and skills to prosecute this litigation, and who are committed to working together to fairly and adequately represent the national class of consumers. Further, the above-captioned actions meet the requirements of Rule 42(a) for consolidation because these actions share common factual and legal issues. In support of this Motion, Plaintiffs submit herewith Suggestion in Support of Plaintiffs' Motion, the Declaration of Tim Dollar, the Declaration of Craig R. Heidemann, the Declaration of Sharon S. Almonrode, the Declaration of Bonner C. Walsh, the Declaration of Adam R. Gonnelli, and a [Proposed] Order.

Dated: August 22, 2016

Respectfully submitted,

DOLLAR BURNS & BECKER, L.C.

By: /s/Tim Dollar

Tim Dollar, Missouri Bar No. 33123
1100 Main Street, Suite 2600
Kansas City, MO 64105
Tel: (816) 876-2600
Fax: (816) 221-8763
Email: timd@dollar-law.com

Craig R. Heidemann
DOUGLAS HAUN & HEIDEMANN PC
111 W Broadway St
Bolivar, MO 65613
Tel: (417) 326-5261
Fax: (417) 326-2845
Email: cheidemann@bolivarlaw.com

Sharon S. Almonrode (admitted *pro hac vice*)
THE MILLER LAW FIRM, P.C.
950 W. University Dr., Suite 300
Rochester, MI 48307
Tel: (248) 841-2200
Fax: (248) 652-2852
Email: ssa@millerlawpc.com

Bonner C. Walsh (admitted *pro hac vice*)
WALSH, PLLC
P.O. Box 7
Bly, Oregon 97622
Tel: (541) 359-2827
Fax: (866) 503-8206
Email: bonner@walshpllc.com

Adam R. Gonnelli (admitted *pro hac vice*)
Nadeem Faruqi (pending *pro hac vice*)
FARUQI & FARUQI, LLP
685 Third Avenue, 26th Floor
New York, New York 10017
Tel: (212) 983-9330
Fax: (212) 983-9331
Email: agonnelli@faruqilaw.com
nfaruqi@faruqilaw.com

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of August, 2016, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court using CM/ECF system, which will send notifications of such filing to the Cm/ECF participants registered to receive service in this matter.

By: /s/ Tim Dollar
Tim Dollar

Attorney for Plaintiff